



## LOS ANGELES COUNTY COMMISSION FOR CHILDREN AND FAMILIES

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October 7, 2009

TO: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

FROM: Adelina Sorkin, LCSW/ACSW, Chair *AS*  
Commission for Children & Families

SUBJECT: SECURING BIRTH CERTIFICATES FOR CHILDREN AND YOUTH  
SUPERVISED BY DCFS AND PROBATION

The purpose of the letter is to urge your Board to direct the Departments of Children and Family Services (DCFS) and Probation to develop, approve and fully implement procedural guidelines for obtaining birth certificates for all children and youth under their respective jurisdictions prior to exiting via emancipation or permanent planning. This would include ensuring that children under the supervision of the county have a valid birth certificate within one year of identification of lacking a valid birth certificate and a California Identification Card by the age of 16. Each child or youth under the care of the County should be ensured being provided with a birth certificate.

On September 21, 2009, at the Commission's Regular Commission Meeting, the Alliance for Children's Rights presented the challenges faced by youth aging out of Child Welfare and Juvenile Justice systems when these youth exit without birth certificates or other forms of identification.

As a result of leaving our County systems without vital records (birth certificate), our youth are unable to obtain a Social Security Card, California Identification, obtain legal employment, enroll in school, apply for financial aid, open a bank account, apply for Social Security Income (SSI) or apply for County services such as Independent Living Program (ILP), Transitional Housing, or General Relief. For American Indians, who are overrepresented in child welfare, youth are unable to register with their tribe to receive benefits.

The Commission has a long history of concern and involvement advocating for birth certificates for youth who are emancipating. This letter addresses a much broader need. At the present time, Welfare and Institutions (W&I) Code Section 391 requires the County to provide documents including birth certificates before youth exit County services. Although the Department of Children and Family Services has taken action in updating its policy and releasing a "For Your Information" notice to Social Workers regarding this issue, we concur with the Alliance for Children's Rights that this law is insufficient.

The Commission strongly believes that the securing of birth certificates is critical to the establishment of permanence and overall well-being for the children and youth of Los Angeles County. Youth who age out are more likely than their peers to suffer from homelessness, be involved with the criminal justice system, be uneducated, be unemployed, experience poverty, lack proper health and mental health care, and continue to be victimized.

The Commission requests that your Board consider the following recommendations:

1. DCFS and Probation to develop a protocol with County Counsel, Dependency Court, Delinquency Court, Public Defender, Alternate Public Defender, and Children's Law Center for obtaining a birth certificate for all youth prior to transitioning from county care.
2. DCFS to ensure that each child under their jurisdiction should have a birth certificate prior to leaving foster care or other out-of-home care due to: adoption, guardianship, KinGAP, beginning preparation for emancipation at age 14, transitioning out of foster care at age 18, and transferring from DCFS to Probation as part of the 241.1 process.
3. County Counsel to provide legal assistance to DCFS and Probation in obtaining the necessary documents.
4. County Counsel to locate a paralegal at Juvenile Court to assist in the preparation of forms to be submitted to the Department of Vital Records.



5. DCFS, Probation, and the Courts to retain jurisdiction over the ward or dependant when it is shown to be in the best interest of the child as stipulated in W&I 391.
6. Your Board to request legislative changes:
  - Expanding W&I Code 391 to include youth leaving detention facilities and children leaving for legal guardianship.
  - Revisiting AB 270, which would require the courts to maintain jurisdiction of children until a birth certificate is provided.
  - Requesting legislation that would place the burden on hospitals by requiring them to obtain a birth certificate not only for babies born at the hospital but also for those taken to the hospital within 24 to 48 hours after birth.

Thank you for your consideration of this important issue.

NS:ns

c: Chief Executive Officer  
Executive Officer, Board of Supervisors  
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Robert Kalunian  
Brence Culp  
Jackie White  
Patricia Ploehn  
Robert B. Taylor  
Michael P. Judge  
Janice Fukai  
Children's Deputies  
Justice Deputies  
Alliance for Children's Rights  
Children's Law Center